The Standing Committee on General Government
Review of the Aggregate Resources Act
clo Sylwia Przezdziecki and Tamara Pomanski,
Room 1405, Whitney Block,
Queen's Park, Toronto, ON, M7A 1A2

July 17, 2012

Dear committee members;

I am a resident living in the vicinity of the large complex of aggregate operations near Caledon Village. A recent application to expand these operations has caused me to become aware of many potential problems that could occur if the recent proposal proceeds. Although my concerns are many - air, water, noise, haul route safety, etc. - I am most concerned about the potential for negative impacts on the groundwater in the area, both quantity and quality.

The Credit Valley Conservation Authority has conducted studies in our area (Subwatershed 16) and have stated in their reports:

"Subwatersheds 16 and 18 have been undergoing increasing development pressures including extraction activities and related land uses of existing pits as well as expansion of licensed areas. This has caused a number of agencies including Region of Peel, Town of Caledon, CVC and Niagara Escarpment Commission (NEC) to express a significant concern over the lack of comprehensive, area-wide analysis of the cumulative impacts on the environment and the community, caused by land use changes."

and:

".... with the ever increasing pressures for development and resource use, the impacts to the subwatershed, if not managed properly, will be irreparable. “
"... Management of watersheds and subwatersheds, including analysis of the present state, prediction of future changes, and prediction of the utility of a proposed design, is much more uncertain than the hydrological areas of practice such as flood-flow management. These uncertainties, the long time frames of response of stream channels (up to 50 - 100 years) and groundwater aquifers (10 - 30 years) to a set of alterations caused by humans, and other influencing factors, require a different approach to management."

"Time Lag - There is a long response time associated with past impacts such as land-use change, meaning that there is significant uncertainty about assumptions on whether the stream's geomorphology is at a stable-state with respect to the hydrological regime of the channel and flood plain.

Future Work - It is anticipated that future maintenance and intervention will be needed, but the timing and type of intervention cannot be estimated with certainty."

[emphasis added]

I believe that the Aggregate Resources Act must be amended to require rigorous procedures with the goal of protecting the health and well-being of people who live and work in surrounding communities. I urge you to consult with your colleagues in the ministries of Health and Environment, as well as the various agencies such as the Niagara Escarpment Commission, Oak Ridges Moraine and World Biosphere organizations to develop suitable standards and protocols that can be incorporated into the ARA. It is important that the Precautionary Principle be mandated in the Act.

(see: http://www.cela.ca/collections/pollution/precautionary-principle)

It is essential that our well water supplies be protected. At present there is no requirement for the aggregate mine operators to monitor private wells in the surrounding communities. This needs to change. As you can see from the foregoing quotations, the CVA has acknowledged the uncertainties that exist with groundwater sciences. This current uncertain state of affairs would readily allow a mine operator to deny responsibility for negative impacts to surrounding wells. The current ARA appears to avoid dealing with this potentially serious issue. At the very least some sort of Financial Assurance Agreement should be called for in the Act in order to ensure caution on the part of pit owners and compensation if negative impacts occur.

Your attention to this deficiency is required to ensure that the Act is amended in a way that will serve Ontario well into the future.
Of course I realize that requiring more stringent monitoring and remedies may be somewhat costly. At present there are significant risks being borne by individual citizens and taxpayers. It is grossly unjust that these risks continue to be unfairly imposed on neighbouring communities in order to enable highly profitable corporations to operate close to markets.

Please realize that water is of utmost concern to people like myself who depend on a private well for their supply. Indeed the first question asked by a prospective purchaser of a rural residence is: "How is the water?" If there is doubt about the reliability, the quantity, or the quality of the supply it becomes very difficult to find a purchaser willing to take such a risk, or the value of a property is significantly reduced. Expanded aggregate operations aggravate the perceived risks. I believe it is only right that those who are profiting from the operation should assume the associated risks and costs and be appropriately insured to cover the eventualities. Obviously a below-water-table excavation is inherently more risky than one limited to above the water table. Adequate insurance in keeping with the degree of risk should be mandated in the Act.

Since the aggregate business is fundamentally conducted for economic reasons – to make a profit for the owners - it is essential that all insurance costs associated with their operations be calculated at the planning stage. These cost calculations must be required by the ARA and become an integral part of a complete business plan. Properly considered, such calculations will determine the economic viability of each proposal. An application that is not economically viable should not proceed.

We must get our heads out of the sand (pun intended) on this issue. I echo the call by others to make 'Full Cost Accounting' a requirement.

The aggregate industry is trying to maintain a 'close to market' approach. I suggest that just how close they should be can properly be determined by doing accurate and complete economic calculations. Once calculated, such costs must be borne by the business profiting, not by their neighbours, their municipalities, and taxpayers. If an operation is not economically viable ONCE ALL COSTS ARE ACCOUNTED FOR, particularly the costs of insuring against damaging outcomes, then it should not be operating in that location.

Thank you for your serious consideration and implementation of my concerns.

Douglas Derry